THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.8683 OF 2007

Dt: 24.04.2007

Between:

Varaganti Sakkubai.

… Petitioner

and

The District Collector and another

… Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.8683 OF 2007

ORDER:

The petitioner challenges the action of the 2nd respondent in not registering the document presented by her, on the basis of a circular, dated 06.02.2001, issued by the 1st respondent.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

The petitioner claims to have presented a document, in respect of Plot No.62B, admeasuring 200 square yards, in Sy.No.44/1 of Munuganoor Village, Hayatnagar Revenue Mandal, Ranga Reddy District, before the

2nd respondent, for registration. Through his circular, dated 06.02.2001, the 1st respondent directed all the Sub-Registrars in the District not to entertain documents, in respect of agricultural or non-agricultural purpose, whenever they are produced, without approval, or no objection certificate from the District Collector.

On the face of it, the circular, dated 06.02.2001, is without jurisdiction and contrary to the provisions of the Registration Act, 1908 (for short 'the Act').

The only provision, namely, Section 22-A of the Act, which empowered the Government to issue notifications of such nature, was held to be *ultra virus*. Even when the said provision was in force, the District Collector was not vested with any power.

Under these circumstances, the Writ Petition is disposed of, directing the 2nd respondent to consider the document presented by the petitioner, without reference to the circular, dated 06.02.2001, issued by the 1st respondent. There shall be no order as to costs.

L.NARASIMHA REDDY,J

Dt.24.04.2007
GJ